

## Erik Mack

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**From:** Tamara Tanberg <tamara@apex-mt.com>  
**Sent:** Tuesday, February 2, 2021 12:14 PM  
**To:** Erik Mack  
**Subject:** RE: Day Family Trust Zone Change

Erik,  
Thank you for sending this.  
I have a question—  
The Day family is now, really not interested in the subdividing as we were initially planning. They are wanting to back way off on the number of lots. We were thinking 8 + the 39-acre remainder = 9 lots (using residential clustering). In fact they are wanting to wait entirely on subdividing, just wanted to do the zone change at this point.  
Because of the unique property characteristics, the “62.13 acres dividing into 12 lots with SAG-5” is unreality, and given 50’ lakeshore setbacks, etc., it’s just not physically possible to make 12 lots (making 8 more lots was difficult).  
How is this fact best presented, and how does the Planning Board look at this?

Thank you,  
-Tamara

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**From:** Erik Mack <emack@flathead.mt.gov>  
**Sent:** Monday, February 1, 2021 8:32 AM  
**To:** Tamara Tanberg <tamara@apex-mt.com>  
**Subject:** RE: Day Family Trust Zone Change

Attached is what I got for the amended Findings of Fact.

Thank You,

Erik K. Mack, AICP  
Planner III

Flathead County Planning & Zoning  
40 11th St West  
Suite 220  
Kalispell, MT 59901  
Phone: 406.751.8200  
Fax: 406.751.8210

Any communications with the Flathead County Planning and Zoning Office are subject to relevant State and Federal public record and information laws and regulations, and may be disclosed without further notice to you.

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**From:** Tamara Tanberg <[tamara@apex-mt.com](mailto:tamara@apex-mt.com)>  
**Sent:** Friday, January 29, 2021 12:18 PM

**To:** Erik Mack <[emack@flathead.mt.gov](mailto:emack@flathead.mt.gov)>

**Subject:** Day Family Trust Zone Change

Erik,

I see in my notes that the BLUAC recommended to deny the zoning change (please disregard the last email). Can I get a copy of your staff report, with their amended wording to the findings of fact?

Also, ahead of the February 10<sup>th</sup> meeting, can you send me any new public comments received?

Thank you,

**Tamara Tanberg** | **APEC Engineering Inc.**

75 Somers Road  
Somers, Montana 59932  
Phone: (406) 393-2127

Email: [tamara@apex-mt.com](mailto:tamara@apex-mt.com)  
Please visit: <http://www.apex-mt.com>

## Erik Mack

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**From:** Mary Fisher  
**Sent:** Tuesday, February 2, 2021 3:42 PM  
**To:** Erik Mack  
**Subject:** FW: Objection to zoning change outlined in FZC-19-20; attn. Erik Mack

**From:** J T <jatmlg98@gmail.com>  
**Sent:** Tuesday, February 2, 2021 3:40 PM  
**To:** Planning.Zoning <Planning.Zoning@flathead.mt.gov>  
**Subject:** Objection to zoning change outlined in FZC-19-20; attn. Erik Mack

Flathead County Planning Board, Erik Mack (planner III),

We are opposed to changing the AG-40 designation outlined in the Growth Management Plan to SAG-5 because of the rezoning's impact on the Echo Lake, Petersen Lake, and Abbot Lake water quality, threatening the recreational enjoyment of the community at large and the property values of the existing residence. Echo Lake water quality is degrading due to the high boating activity. Higher residential density on the lake will add more boat activity and further degradation.

We know and studies have shown that high boat activity and the resultant "prop wash" cause shoreline erosion and increase water turbidity. During the summer, turbidity is so bad, visibility is reduced to approximately 4 feet. Fish can not see to find food and spawning habitats are silted in. "Prop wash" releases phosphorous and increases chlorophyll increasing algae growth. "Prop wash" reduces dissolved oxygen which fish depend on. Studies have shown that a 10 h.p. motor will mix sediment down to 6 ft; a 50 h.p. motor will mix to 15 ft.; and a 100 h.p. will continually suspend sediment to depths greater than 10 ft. During the off-season when boating has stopped, visibility improves, one can see the lake bottom covered with silt. The depth of the bay adjacent to the proposed zoning change is 9 ft. Today "wake boats" average 350-400 h.p. We are killing the lake. Ask any bass angler. Echo Lake is losing its recreational attraction as a bass fishing spot.

In the 1980s, Fish, Wildlife, and Parks started a management plan collecting water temperature, oxygen levels, and other lake health criteria. During the period 1994-1997, Echo Lake was 12th and 9th highest in phosphorous and chlorophyll levels, respectively, out of 31 sample lakes (Western Montana). Today, the government data shows Echo Lake consistently ranks among the highest of large lakes for total phosphorous, total persulfate nitrogen, and chlorophyll. In 2015, Echo Lake ranked the second-highest for chlorophyll and in 2019, it ranked highest.

Petersen and Abbot Lakes have not suffered the same stress as Echo Lake because of limited access. These lakes provide kayakers, paddle boarders, and anglers ever-growing recreational popularity and a respite from the powerboats. The proposed zoning change will open these lakes to the same stresses suffered by Echo Lake with worse repercussions. These lakes are smaller and more shallow.

Recently the Flathead Lake Biological Station and the Whitefish Institute estimated the value of clean lake water on property values. The study showed a "bump" in property values due to clean lake water. But this not only about property values. It is also about the recreational enjoyment of the community at large; paddlers, kayakers, swimmers, etc. We urge you to consider the above-outlined information in the context of the goals of the Growth Management Plan and reject the zoning change.

Mike Glain and Jan Thompson  
580 W. Village Dr. Bigfork

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## Erik Mack

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**From:** Mary Fisher  
**Sent:** Thursday, January 28, 2021 9:30 AM  
**To:** Erik Mack  
**Subject:** FW: Opposition to item FAC-20-19 on BLUAC agenda Jan. 28, 2021  
**Attachments:** Lake Hollows Zone Change\_Echo Lake Zoning District.pdf

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**From:** Shelley Gonzales <chuygonz@centurytel.net>  
**Sent:** Thursday, January 28, 2021 9:25 AM  
**To:** Mary Fisher <mFisher@flathead.mt.gov>; Brent Pomeroy <bkgonefishin@gmail.com>; Chany Ockert <chany.reon@gmail.com>; Jerry Sorensen <jswanview7@gmail.com>; Lou McGuire <m McGuire\_lou@msn.com>; Richard Michaud <robemicha2@aol.com>; Shelley Gonzales <chuygonz@centurytel.net>; Susan Johnson <snjmontana1@hotmail.com>  
**Cc:** 'Ned Cooney' <cooney.ned@gmail.com>  
**Subject:** FW: Opposition to item FAC-20-19 on BLUAC agenda Jan. 28, 2021

Good Morning,  
The email below and attachment is for FZC 20-19, Day Family Trust.  
Shelley

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**From:** Ned Cooney <cooney.ned@gmail.com>  
**Sent:** Wednesday, January 27, 2021 9:28 PM  
**To:** chuygonz@centurytel.net  
**Subject:** Opposition to item FAC-20-19 on BLUAC agenda Jan. 28, 2021

Dear BLUAC members,

I am writing to oppose FAC-20-19: A zone change request from Day Family Trust for property within the Echo Lake Zoning District on your agenda tomorrow, Thurs. Jan. 28. I oppose this change in zoning for the following reasons:

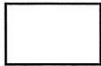
1. A proposal to change to SAG-10 was rejected in 1995 by the County Commission for these lands, over concerns about impact on the lake, water quality, and other issues. The minutes for this meeting are attached. Over a quarter of a century ago, they recognized the very negative impacts of lots double the size of the current proposal.
2. Since 1995, usage on Echo, Abbott and Peterson Lakes has increased significantly. The launch at the state beach on Echo Lake improved ease of access, increasing the ability of local residents and visitors to launch watercraft and boats. Access is a good thing for all Montanans -- but access in this case is stretching the carrying capacity of Echo, Abbott and Peterson Lakes during peak season. Main bays are packed with skiers and tubers; formerly quiet spots are no longer; and some days the lake is overcrowded to the point of being dangerous. A suburban/ag subdivision will only contribute to this overcrowding, reducing everyone's enjoyment, affecting property values and degrading water quality.

3. The critical natural habitat will also be impacted by further residential development -- including bald eagle, grizzly and Western painted turtles. Echo, Abbott and Peterson Lakes are a beautiful ecosystem and an important link in the lands surrounding Bigfork and leading to the Swan range, Jewel Basin hiking area, and Bob Marshall Wilderness. Turning into a suburban, more densely packed area will change the cherished character of the neighborhood and affect wildlife, one of the many aspects of the Echo Lake area most appreciated by residents and visitors alike.

4. Lastly, I am concerned about the timing and transparency of this item. This request has come forward when many people are isolated due to the ongoing pandemic, and many homeowners are gone during the winter months (including a large Canadian contingent who are not even able to cross the border currently). More public input and consideration is due for this large a change in the character of the neighborhood. Allowing for virtual input (Zoom meetings, for example) and extended comment periods are called for under the circumstances.

Thank you for your service and your commitment to the Bigfork area.

Sincerely,  
Edward (Ned) Cooney  
Echo Lake resident



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## Erik Mack

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**From:** Mary Fisher  
**Sent:** Thursday, January 28, 2021 9:35 AM  
**To:** Erik Mack  
**Subject:** FW: Please vote against the zone change for the Day Family Trust property

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**From:** Shelley Gonzales <chuygonz@centurytel.net>  
**Sent:** Thursday, January 28, 2021 9:35 AM  
**To:** Mary Fisher <mFisher@flathead.mt.gov>; Brent Pomeroy <bkgonefishin@gmail.com>; Chany Ockert <chany.reon@gmail.com>; Jerry Sorensen <jswanview7@gmail.com>; Lou McGuire <m McGuire\_lou@msn.com>; Richard Michaud <robemicha2@aol.com>; Shelley Gonzales <chuygonz@centurytel.net>; Susan Johnson <snjmontana1@hotmail.com>  
**Cc:** cmecooney@gmail.com  
**Subject:** FW: Please vote against the zone change for the Day Family Trust property

Good Morning,  
The email below is for FZC-20-19, Day Family Trust.  
Shelley

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**From:** Catherine Cooney <cmecooney@gmail.com>  
**Sent:** Wednesday, January 27, 2021 9:44 PM  
**To:** chuygonz@centurytel.net  
**Subject:** Fwd: Please vote against the zone change for the Day Family Trust property

Dear BLUAC members,

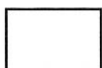
I am writing to oppose FAC-20-19, the zone change request from Day Family Trust for property within the Echo Lake Zoning District on your agenda tomorrow, Thurs. Jan. 28.

The change in density for these lots will have too much of a negative impact on the ecosystem of the lake. It will severely impact an area of the lake that is already receiving too much boating traffic.

The proposed change in density is too drastic. I understand that the property owner has had difficulty selling the property as one piece, but this proposal goes to extremes. I have a close friend who lives immediately across Blackie's Bay from the property in question. She and her husband would be severely impacted, as would many of her neighbors.

Thank you for your consideration.

Cathy Cooney  
105 Alpine Drive  
Bigfork, MT 59911



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## Erik Mack

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**From:** Mary Fisher  
**Sent:** Thursday, January 28, 2021 7:35 AM  
**To:** Erik Mack  
**Subject:** FW: Opposition to item FAC-20-19 on BLUAC agenda Jan. 28, 2021  
**Attachments:** Lake Hollows Zone Change\_Echo Lake Zoning District.pdf

**From:** Barb Sherrard <bsws770@gmail.com>  
**Sent:** Wednesday, January 27, 2021 9:44 PM  
**To:** chuygonz@centruytel.net  
**Cc:** Mary Fisher <mFisher@flathead.mt.gov>  
**Subject:** Opposition to item FAC-20-19 on BLUAC agenda Jan. 28, 2021

BLUAC Committee Members,

I plan on attending the meeting but wanted to make sure my opposition to the rezoning was documented.

I am concerned about the timing of this meeting, in the midst of a pandemic with no opportunity for people to participate virtually. Also should be noted that many residents are absent during these months. And since individuals I contacted at Fish Wildlife and Parks were not even aware of this meeting I fear not much effort was made to have an informed public. The quality of three lakes would be further impacted by this proposed change.

Please refer to the minutes of the 1995 County Commissioners meeting to substantiate the concerns and water quality issues presented 25 years ago. The state of the lake has only been stressed further since then. Additional septic systems will certainly add to the distress of the aquifer. Wildlife would also be impacted by the proposed rezoning. This is a nesting area for Bald Eagles, grizzly bear roam and feed here as well as western painted turtles.

Too much to be addressed in too short of time.

Barbara Sherrard  
Echo Lake resident

# FLATHEAD COUNTY, MONTANA

LL 357

April 18, 1995  
(continued)

Commissioner Watne made a motion to adopt the Findings of Fact for Resubdivision of Lot 1 of Scott Minor Subdivision, as presented in FRDO Staff Report FSR-95-14. Commissioner Stratton seconded the motion. Aye - Stratton and Watne. Motion carried by quorum.

Stratton and Watne both agreed that they would have no problem in reducing the cash-in-lieu requirement to \$1,971.00. The condition was changed accordingly.

Commissioner Watne made a motion to approve the preliminary plat for Resubdivision of Lot 1 of Scott Minor Subdivision, with amended conditions. Commissioner Stratton seconded the motion. Aye - Stratton and Watne. Motion carried by quorum.

## Monthly Meeting w/Sheriff Jim Dupont

Present for the 9:15 A.M. Meeting were Commissioners Stratton and Watne, Assistant Bennett, Sheriff Jim Dupont, and Clerk Schreiner.

Discussion was held regarding the medical expenses incurred by persons who are under arrest or incarcerated. Discussion was also held regarding the need to enter into negotiations, the budgeting process and legislation.

## Public Hearing - Lake Hollows Zone Change Request to Echo Lake Zoning District and P.U.D. and Preliminary Plat

Present for the Duly Advertised 10:00 A.M. Public Hearing were Commissioners Stratton and Watne, Assistant Bennett, Assistant Planning Director Tom Jentz, Consultant David Greer, Scott Hollinger, H.J. Ungerleider, Mark Hollinger, Jil Holinger, M. Andrew Kovatch, M. O'Cain, John O'Cain, Andrew Veseth, ? Veseth, Eugene Sullivan, Tim Sullivan, ? Reynolds, Kay Silva, Esther Coverdell, Kere Nieluse, Woodrow Bunyak, Rits Graham, Neil Tranel, Don Glain, Carlene Williams, Linda Mitchell, Shawn Francisco, Betty Jane Roe, Naomi Benson, James Scheff, John Breneman, Irma Bransen, Rodney Smith, Charles Bransen, Raph Monison, Betty Dutch, William Dutch, Melodee Curtis, Philip Von Bergen, Robert Small, Mary Small, Maxine Meznarich, Dave Slack, P.C. Musgrove, Jerry Sorensen, Patricia Slack, John Wachsmith, Jolene Smith, Gene Thompson, Dennis Mitchell, Lore Davis, Mike Davis, Paul Strong, Elaine Nielsen, Charlotte Fields, Shirley Gachis, R.W. Holst, David Coe, Marie Coe, Carson Sterling, Kathryn Sterling, Myron Houston, Ward McCartney, Brooke Johnston, Eric Thorsen, Vern Childers, Robert Fields, Pam Arndt, Dee Arndt, Bob Demose, Steve McGuire, John Ed Kennedy, Brian May, Tom Trumbull, Jeanne Trumbull, Marilyn ?, Janeen Gillen, Gene Lard, Jack Chapin, Dorothy Chapin, Crol A. Wilker, Norman McClesney, Kelly Wood, A.P. Hollinger, Tamara Whiteside, Lindsay West, Marie Gaiser, and Clerk Schreiner.

This is a request to change the zoning from a 40-acre minimum lot size to a 10-acre minimum lot size. In conjunction with the zone change request, the applicant is looking at a Planned Unit Development which is viewed as a contract between the developer and the county. The PUD lays out exactly what would be developed and sets the conditions of development.

Jentz recommended that the three separate issues be combined into one single public hearing, as the issues are inter-related. If one of the components of the request were to fail, the entire project would fail.

The applicant is proposing 27 residential lots with a retreat center to be located on the southwest area. The lots would encompass 130 acres or 39% of the property. Open space would encompass 185 acres, or 60% of the property. The lot sizes are between two and three acres. One lot is proposed on Abbott Lake and 10 lots are proposed on Peterson Lake. They will have individual wells and on-site septic systems. A loop road system is proposed through the middle and the applicant is proposing emergency access over Echo Chalet Drive and through Blackie's Bay.

Jentz noted that the 10-acre zone would allow substantially more density than what is proposed. Under the Planned Unit Development, the applicant would not be able to build out to the maximum density.

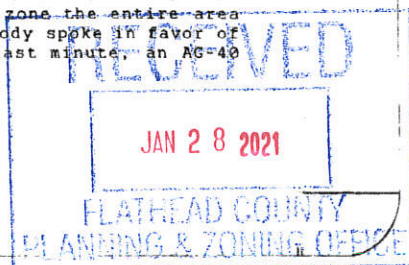
The Planning Board held a public hearing and concerns were stressed about water quality, impacts to wildlife and the density of the project. After discussion, the applicant offered to reduce the density of the lots on Peterson Lake from 14 lots down to 10 lots. The Planning Board felt this was a good compromise.

The Planning Board unanimously approved the zone change, planned unit development and preliminary plat with one abstention. Jentz reviewed the conditions of approval.

Commissioner Stratton opened up the public hearing and asked those to speak in favor of the zone change request.

Greer stated that he is the one who put the Lake Hollows PUD together. The proposal, as amended by the Planning Board, proposes ten lots on Peterson Lake, one additional lot on Abbott Lake and fifteen lots on Echo Lake.

Greer reminded the Commissioners that the homeowners circulated a petition requesting that the entire Echo Lake area be zoned SAG-5. The application went before the Flathead County Planning Board, and the recommendation was to zone the entire area SAG-5 in accordance with the request of the homeowners. Everybody spoke in favor of the five-acre zoning at the public hearing; however, at the last minute an AG-40 zoning designation was placed on the property to the west.





April 18, 1995  
(continued)

Greer stated that if the SAG-5 was allowed, they could potentially have 204 lots on the property. They are not asking for five-acre zoning, they are asking for SAG-10. They are also not asking for the full potential allowed. They are simply asking for 28 lots on 340 acres of land. Greer noted that the previous use of the land included 38 recreational lots operated by Plum Creek. All of these lots were on Echo Lake. With the Planned Unit Development concept, what you see is what you get. The map and text become zoning for the property. The owner is no longer eligible for other uses that would normally be allowed in this zoning district. Breaking up the acreage into 8 40-acre tracts or 17 20-acre tracts would complicate fire protection, roads, common areas, and extension of services.

With this proposal there is a Homeowners Association, architectural review, strong restrictions and it is designed to be low impact and environmentally sensitive. Greer presented a fact sheet for the Lake Hollows project and presented this to the

Commissioners for review. He added that there will be no access onto Blackies Bay or Echo Chalet Drive, these roads will strictly be emergency access roads. There is a common area, paved trail system and a common boat ramp.

Mike Fraser stated that he is with Thomas, Dean & Hoskins who are the technical representatives for the developers. Fraser pointed out that the State of Montana constitution has a Non degradation Clause which is far more stringent than 49 other constitutions in the United States. It requires that such a development cause no impact to the ground water or surface water in the area. They have incorporated community drainfields to provide advanced treatment of the waste water to meet the nitrogen limitations imposed.

Fraser added that the development standards require a 50' setback from any open water. This is a natural filtration which preserves the quality of the lakes and water. The conditions require a stringent overall drainage plan that will address directing the drainage away from the surface water. Conditions also require tanker recharge facilities and the developer plans to work with the fire district to provide these facilities for this project as well as other areas that don't have it.

Scott Hollinger stated that he is one of the owners of the property. He is a native Montanan with a degree in chemical engineering, allowing him to work closely with the technical staff. He grew up on a lake that his parents developed with strict covenants. This was a success and Hollinger wanted the same opportunity. He wants to set a standard for people who live on the lake and for properties to be developed in the future. He is proposing 50' setbacks from the water and other strict covenants. Hollinger noted that the number of lots being proposed on Echo Lake represents only a 5% increase from the number of existing homes. One advantage he has is the tremendous amount of acreage to direct the drainage away from the lake as well as provide a trail system and recreational facility so the lake is not the sole source of recreation. He lives on the lake now and plans to continue to live on the lake with his family. He encouraged the Commissioners to approve the project so they have an opportunity to set a standard for people to look at and consider for other developments in the valley.

Mark Hollinger stated that even though he is not involved in real estate, he has the same background and growing up as his brother Scott. They have the same values and respect the quality of life in the valley. A lot of time and effort has been put into this project to address environmental concerns and a project of this quality should be encouraged.

Mike Davis stated that he is a resident of Flathead County and grew up on Seeley Lake. Most of the lakes have been developed with 50' to 90' lots. The lake could be a lot nicer if the lots had up to 300'. This results in smaller lots with inadequate room for buildings and drainage. The Lake Hollows development is a good plan and impacts only a small portion of an otherwise large piece of property. It is a good example of a quality development that could set standards for the future. He supports the zone change and PUD.

Marie Geiser stated that she has lived on Echo Lake for 30 years in a subdivision with 50' to 100' lots. Echo Lake has changed since they moved there and they have seen the impact of building. She approves of a nice development such as the one being proposed.

Tom Brown stated that he is a property owner on Echo Lake and supports the plan. He wishes something like this would have been done all around that lake. He hopes that with the turnout and energy of this meeting, the residents could put together some groups to address the problems on the lake from existing development.

Jerry Sorenson stated that he works as the land use planner for Plum Creek Timber Company. When the zoning district did come before the Planning Board, Plum Creek supported the SAG-5 zoning. The zoning was changed to AG-40, and Plum Creek did not support this change. It was Plum Creek's understanding that the AG-40 would be in place because nobody had any plans for the land. However, if at some point in the future somebody came forth with a plan, this could be reconsidered. Sorenson has reviewed the Lake Hollows PUD in depth and this rates as one of the best designed projects he has seen. Some of the things included in the plan are very important, to include water quality, drainage and setbacks. Plum Creek supports responsible development that is sensitive to the environment and is appropriate for the area. They feel this projects meets that.

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April 18, 1995  
(continued)

Ward McCartney, representing Citizens for a Better Flathead, stated that this is one of the better developments he has seen and he feels it is appropriate for the area. He is concerned about the number of people who are against this development. Instead of keeping the open space and agricultural land as it should be, the land is being subdivided. However, when an appropriate place is found for development, the neighbors are opposed. The water quality concerns are recognized and McCartney suggested that a sewer system be considered for this area. He appreciates the 50' setback and he hopes this sets a precedent for future development along lakes and rivers.

McCartney stated that he would like to see 10% of the development put into affordable housing. This could be done with lots on the interior rather than along the lake. People are concerned about the rise in property taxes because of this development. Flathead County has to follow suit and initiate impact fees on new development so taxes don't increase.

P.C. Musgrove stated that he is in favor of this project. The citizens of Flathead County, through surveys in the past, have said that open space is one of the top priorities. Through the low impact development, this project has addressed this priority. This is a top quality project and Musgrove supports it.

Brooke Johnston stated that she attended the planning meeting when the AG-40 zone was placed on this property. She feels this is a very well thought-out plan and the developer has voluntarily taken the initiative to address the environmental concerns. She hopes this set a precedence for Echo Lake and the rest of the county.

Gene Lard stated that he is an appraiser and one of his jobs is to look at the trends that go on in the valley. More and more people are coming in and creating a demand on the resources. This project is one of the highest quality projects he has seen and he recommends approval of the zone change and PUD.

Katie Brown stated that she has a home on Echo Lake. Nobody likes to see a change, but it is inevitably happening in the valley. To have a well thought out plan to address the changes is very important. Some of the allowable uses in the AG-40 zone cause greater concern than what is being proposed. There isn't always the respect for the land that those who have made an investment in it have. The developers are proposing very strict restrictions to protect everybody.

A.P. Hollinger stated that he has owned the property for two and one half years. He is asking for approval of the project as they have given a lot of thought on how to develop the property. It is very difficult to get people to come in and support you, but the opponents are very vocal. He asked that the Commissioners review the letters received regarding the development they have been involved with in the past. They will find that the development has been going on for 30 years and most of the people who live there will testify that what has been done and the restrictions placed have been successful. He asked for approval of the project.

Hearing no more proponents, Stratton asked for those to speak in opposition of the project.

O'Cain presented the Commissioners with letters from the Fish & Game, as well as petitions signed by over 600 people opposed to the development. O'Cain stated that five people will represent the opposition by addressing five different concerns. He read a written statement.

We have gathered here today not to protest the business venture of subdividing one's own property. Free enterprise does not threaten our future. It's good for it. However, we did come here to encourage our elected officials to put a long over-due stop to the killing of Echo, Abbot and Peterson Lakes and to halt the potential destruction of our precious pristine drinking water. Unfortunately, the Lake Hollows P.U.D., and others like it if allowed to continue, will surely be responsible for those very same catastrophes. In that case, everybody loses. The uncontrolled subdividing and resubdividing of the shorelines of these three pothole lakes year after year has subjected their captive waters. And just as surely the aquifers under them, to God only knows how much irreparable damage. Damage from unmeasurable amounts of pollution, from drainfields, outboard motors, fertilizers, insecticides, and how many other chemicals. We must put a stop to this irresponsible destruction now! We all though the first sane step had been taken in February 1992 when our County Commissioners wisely chose to secure this property with a minimum 40-acre, single residence, agriculture zoning. Let me read to you from the minutes some of the fears and concerns with which this responsible Board addressed it's self at that meeting on February 19, 1992:

Kathy Reich in opposition, stated "We went into that zoning meeting with SAG-5 because we thought that was the best we could achieve. Some of the Planning Board said "why are you going that low? Why on earth would you do it at five?" This was after we had gotten up and told the board what development had already caused on the lake, the problems, and the overall deterioration. They, (the planning board) were the ones who suggested the AG-40 zoning. Because it (the property) was out there and hadn't been developed. There is nothing that we (the planning board) can do with development that has continued unchecked. It's too late, but that doesn't make it okay to let it continue to happen.

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April 18, 1995  
(continued)

I'm still reading from the minutes now.

After explaining various technical procedures to the Commissioners, Mr. Herbaly (head of planning board) said "depending on which water quality people you look at, you are near the balance now of how much the lake can tolerate. We felt that kind of limitation on development for the balance of the lake was one that we could live with. The planning board's analysis of this over here (pointing to a map) they found that a recommendation for 40-acre density over these two sections was arguably in compliance with the master plan. To argue for one-acre density for the rest of the lakeshore is not something that we would encourage the planning board or Commissioners to accept as a viable argument. The Commissioner Adkins stated "I really think we have to save the lake. I think that is the main purpose here. I'm sorry that one landowner is being affected. But if we don't, we aren't going to have a lake. That's my feeling." Then Commissioner Stratton added "I would like to point out that the AG-40 is not the only area that is different than the SAG-5. There is also the AG-20 over in one corner." She continued "I read through the minutes of the Planning Board and I believe they gave a great deal of thought. I think they have some real good recommendations. I guess we are just setting here wondering if we are ready to make this decision today or we need to have another discussion. I feel comfortable with it as it is." Then Commissioner Adkins and Gipe both agreed that they supported the recommendation by the Planning Board. Then Commissioner Gipe said "We support the Planning Board. They have worked with you folks. And I appreciate the work you have done out there. zoning is not an easy matter. You guys have fought it out, out there, and we appreciate it. That's why you haven't seen us out there. We don't want to make these decisions for you. We aren't going to force this down anybody's throat. Plum Creek may not agree with what I've said but I think that most people realize that we (the Commissioners) are trying to accommodate the majority and zone it so that there are children in the future generations who will have the same water quality and air quality in this valley that we have today." The Commissioners voted unanimously for the AG-40 zone in Sections 6 and 7.

Let us not lose sight of the fact that those were the very concerns that determined the necessity of a 40-acre single residence agriculture zoning. It wasn't a subdivision they were preventing. There wasn't even a proposal for one at that time. It was a valid action to stop the overcrowding and the over polluting of an already very sick lake and very likely the waters beneath it.

Merrill Kovatch read a written statement, as follows:

To: Howard Gipe, Chairman  
Sharon Stratton  
Bob Watne  
Flathead County Commissioners

FROM: Merrill A. Kovatch

DATE: April 18, 1995

RE: Proposed Lake Hollows Development

As stated previously you have before you this morning the important issue of a zoning change concerning the development of the west shoreline of Echo Lake, major development of Peterson Lake and the partial development of Abbot Lake. These are three extremely fragile bodies of water that are currently some of the most impacted and recreational used lakes in the Flathead Valley and western Montana. My colleagues here this morning will speak or have already spoken on the impact that development has had and will be having on these lakes and the immediately surrounding area. My primary focus is roads and roadway used by the proposed Lake Hollows Development project. I will be referring in the course of my statement to a document known as Attachment 'B', Conditions of Approval #FPUD-95-2 as recommended by the Flathead County Planning Board dated March 8, 1995 hereafter known as the 'document'. Please follow along with me on your copies of this document.

Item 5 of the 'document' states that McCaffery Road must be paved to county standards and that there would be a Rural Special Improvement District (RSID) created to finance this paving and upgrading. A majority of the residents who would be in the created RSID are vehemently opposed to such a creation of said district and subsequent increase in property taxes. Landowners of property along McCaffery Road effected by this proposed RSID have signed petitions opposing this project, and these petitions have been submitted to you.

I next refer to Item 8 and I quote, "An additional emergency access road is required to serve this subdivision extending from Peninsula Drive to Echo Chalet Drive through Lot 1 B..." It appears that the County Planning Board believes they can dictate the use of Echo Chalet Drive for ingress and egress purposes. Please let me point out that Echo Chalet Drive is a private road. I am presently Chairman of the Echo Chalet Village Road Improvement Committee, and no one has approached the residents of Echo Chalet Village to gain permission to use said road. Ingress and egress is

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# FLATHEAD COUNTY, MONTANA

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(continued)

controlled by the residents of Echo Chalet Village. Petitions protesting the Lake Hollows development project are presented to you which contain the signatures of many of the residents of Echo Chalet Village protesting the development and the use of our road. This has been a private road and has been signed as such for over twenty-five (25) years. The road consists of approximately one-half (1/2) mile of pavement and one-half (1/2) mile of poorly improved dirt and gravel.

Item 9 of the document discusses a bridged that is required to span a seasonal channel between Echo and Abbott Lakes as part of conditions item #8. The U.S. Army Corps of Engineers has jurisdiction over the permitting process and regulation necessary for the spanning of an intermittent stream. The distance from mean high water to mean high water is in excess of 100 feet and any excavation into or excavations out of wet lands associated with this seasonal channel within this distance is strictly regulated. I am including a set of these regulations from the Helena U.S. Army Corps of Engineers office supporting this statement.

Item #10 of the document refers to "Echo Chalet Road of Blackies Bay access road and the grading of these roads to allow only emergence access", but we all know that the casual curiosity seeking drivers will use these roads regardless of being adequately signed, and hence there will be a large amount of excess traffic using these roads. Again since these are private roads, the residents of Echo Chalet Village and Blackies Bay protest the use of the roads. Not only is Echo Chalet drive a private road, of 25 years, but Blackies Bay road has been a privately owned road for over fifty (50) years. Those owners actively oppose the use of their road for access to the proposed Lake Hollows subdivision also, and petitions showing their signatures are also presented to the commissioners. There is already in place, and has been in place for years, a gate with lock and keys only in the possession of this areas' homeowners. Echo Chalet Drive is maintained and snow removal provided through annual assessments of the homeowners in that village. We already have a difficult time keeping the road drivable with the limited funds available now.

Another very important face we feel should be addressed by the commissioners is that:

In reference to Item 29, Mr. Scott Hollinger has already built a private residence within the southeast 40-acre portion of his proposed development. Where does this home fit into the proposed plan to rezone from AG 40 of SAG 10 with PUD overlay? Since this was zoned AG 40 at the time this structure was built, hasn't he set a precedent as to the use of this 40-acre piece of former Plum Creek property? We believe that this is a legal question that definitely needs to be addressed.

From the minutes of the March 8 Flathead County Planning Board Meeting, it should be noted that Mr. Ted Groenke, who serves as a member of that board and who is an attorney, raised the question of the legality of some of the same issues I have just addressed here. The planning board chose to ignore these valid legal questions. Notice further that Mr. Groenke abstained from voting on the proposed zoning change.

Enclosed with this presentation are photographs showing Echo Chalet drive -- the limited drivability, extreme narrowness in places and the trees providing habitat lining the drive. In one picture you will see a nest atop a tall tamarack containing a pair of bald eagles. You will see, also, pictures of the channel between Echo and Abbott Lakes, the high and low water marks and wet land areas that exist between these two lakes. There are also corresponding pictures of the Blackies Bay road indicating that it is a private road with the gate that presently controls ingress and egress to Sunrise Bay and Fireman's Island.

Also enclosed in this paper is a copy of the Deed from Plum Creek to Scott Hollinger. It is interesting to note on the Deed that Plum Creek afforded public easements onto this land allowing all existing road in the 342-acre parcel public access; complete access to all shore line areas between low and high water; and public access for portage across the property from one lake to all lakes and wet land areas within this proposed development. Plum Creek's vision was evidently to allow virtual public access to the entire area.

We feel that from all the facts and information provided here you will have valid reason to deny the zoning change proposal from AG 40 to the SAG 10 with PUD overlay. We respectfully request that you do so.

Jolene Smith read a written statement, as follows:

I have lived in Montana all my life. I have lived in the Flathead Valley all my life except for the time I was away at college. The northern border of Lake Hollows is directly south of where I live on Blue Lake Lane. My presentation is about environmental concerns other than water quality and fisheries which will be covered later. All authorities agree that loss of habitat is the number one problem affecting wildlife, both plants and animals. Through the years, the former Plum Creek land in question has provided a relatively protected and solitary habitat with abundant water for wildlife.

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Three years ago, Plum Creek logged the area according to their new environmental standards, which call for leaving a uncut portion 50 horizontal feet from the high water line of all water. Even if some areas were dry potholes at the time. They followed this policy, as you can see in the 1992 aerial photos. It's very apparent where they have logged. Blue Lake is located in the upper left corner between the "92" and the "USDA" (on the photos). Three quarters of the lake was not logged. The logging in the proposed PUD south of Blue Lake is very apparent in the photos and caused major disruption of the habitat. You can, however, see the protective band of trees around water areas. Last summer Mr. Hollinger logged the area again. When I asked him why he did this, he said that Plum Creek left the area looking like it had a mohawk and he wanted to make it look better. During this logging, some of the trees in the protected bounds along and around the water areas were removed. Plum Creek had already taken what they considered environmentally safe. I have given you four photos -- there are comments on the back -- two of the photos are for reference. One shows the unlogged portion of Blue Lake and one shows the high water marks. Something you need to know about the high water mark -- the pipe that you see near the water is 8' tall. And up in the left-hand corner of the photo is a white pipe that is also 8' tall. And it shows where the high water is. The lady at the Soil Conservation Service told me that true high water would even go up into the trees. Photo three and four show portions of Lake Hollow Subdivision that have been logged. Photo three is an overflow area south of Blue Lake. In 1982 that was full of water. I saw it. The hillside in the background has been logged. And most of the protective trees are gone, as compared to the rest of the lake around. Photo four shows a path along. On the left side is the Lake Hollows area where the logging took place. On the right side of the path is Blue Lake property that hasn't been logged. There are similar logging scenes throughout the Lake Hollows Subdivision. Logging twice in three years has opened up and dried out the area. Already spotted knapweed, which does not tolerate shade, has moved in and is well established. Spotted Knapweed gives off a toxin in the soil which kills native plants.

Now this area is faced with further loss of habitat to be caused by paved roads, paved trails, boat landing, and I just found out two water recharge stations, 27 homesites along lakes, with either individual drainfields or large community drainfields served by pumping and piping systems, paved recreation areas such as tennis courts, and two retreat areas with two lodges, six cabins and various support buildings. This commercial retreat complex, which is located in the intermittent wetland area south of Blue Lake has not been addressed in the PUD. What about sewage is such an area, parking support buildings, wells, affect on habitat, noise and covenants? Needless to say, the wildlife has lost and will continue to lose habitat in this area and will continue to be stressed. You just looked at the photos of the eagles and the turtles. The nesting bald eagle pair in these photos at Abbott Lake left last summer but a pair has been seen again this spring in the same area. In the proposed subdivision, myself and other people have seen other eagles, black bears, deer, turkeys, elk, bobcats, mountain lions, weasels, and pinemartin, along with your usual squirrels and chipmunks and all. In the past, two grizzlies were killed in the area and two grizzly cubs were trapped at the entrance to the Bible Camp on Peterson Lake. Various other birds nest and raise young in the subdivision area, a few of them three kinds of owls, herons, geese, thrush, numerous kinds of ducks, woodpeckers, martins and ospreys. In relation to the turtles, the lakes support a rare turtle population. The fragile population of turtles nesting along the shoreline would be disturbed, destroying this irreplaceable population unique to the lake. The chance for animal/human conflict is great and animals almost always lose.

Changing the AG-40 zoning to SAG-10 and allowing the Lake Hollows Subdivision would further destroy irreplaceable habitat and degrade the style of life of the scattered population in the area. Since our undeveloped areas on Echo Lake are zoned SAG-5, this will be our only chance to protect an area from the dense development mistakes of the past.

Steve McGuire stated he is the State Director of the Montana Bass Federated Incorporated. He lives in Flathead County and is speaking for the bass club members of the county. He read the following written statement:

Echo, Peterson, and Abbot Lakes make up a fishery that is one of Montana's most viable self-sustaining bass fisheries. For this fishery to remain self-sustaining, it must have protected and undisturbed spawning areas. Several of Mr. Hollinger's proposed lots border critical bass spawning and rearing areas. Of the 30 conditions or covenants submitted with this proposal, Number 15 and 16 are directed to shoreline protection. But will they in years to come? I doubt it. On water quality, the water quality of the mid and lower levels of Echo Lake has been declining for years. It doesn't take an engineer to see that the proposed septic drainfields will eventually leak into these lakes, further damaging the lake water quality. In conclusion, this decision of proposed development is forever. We are asking you to uphold the AG-40 zoning and to look at the long-term potential damage to these lakes and great bass fisheries.

John Wachsmith stated that he is representing the Echo Lake Association of 150 members. He is also currently serving on the Board of Directors of this Association. He stated that the majority of the members stressed water quality as a concern of

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The survey mailed out to the members for a 1995 membership. The membership is very concerned about the proposed AG-40 zoning change and the Lake Hollows Subdivision, which encompasses the west shore of Echo Lake and the shorelines of Peterson and Abbott Lakes, which are relatively undeveloped. He cited information from three reports concerning ground water, soil types and hydrology of the Echo Lake Area.

Wachsmith also made a demonstration of a ground water model from the Montana State University that showed what certain activities -- such as nonpoint source pollution, wells and septic systems -- can affect the ground waters and surface waters of the lakes.

Kovatch stated that if this 40-acre agricultural zone is changed and the PUD is approved, only one person stands to profit. As a result of this business venture, the rest of the landowners will acquire new financial responsibilities - paving of the road and an increase in taxes. Kovatch asked the Commissioners to carefully consider the facts presented this morning. He asked that the Commissioners promote continued monitoring of the frail waters of these lakes so sound decisions can be made in the future to determine if this area can safely proceed with any development efforts.

Wachsmith added that the Echo Lake Association members are not opposed to development. They believe development can occur on the present zoning. He stressed that there is not one lake involved - the impacts will affect all three lakes. Any subdivision of this size being built within close proximity of three lakes should be required to hook onto a sewer system and no drainfields should be allowed. Until this can occur, the Association believes that the 10 to 14 homes that can be built under the AG-40 zone would have far less impact than the proposed subdivision.

Gene Thompson stated that he has been a resident of Echo Lake for 43 years. He is against breaking the lots down to smaller than 40 acres. He doesn't appreciate using their private road out of Blackie's Bay, as these roads are not adequate to carry the anticipated traffic. He urged the Commissioners to take the time to check the level of high water in this area. Thompson added that Plum Creek was a good neighbor when they logged the property. As soon as the property was sold, it was logged right down to the lake.

Rob Domrose stated that he is a retired fishing biologist from the Fish & Game Department. He sees some real problems with this project. He did some dissolved oxygen water temperature profiles on Lake Mary Ronan. This lake has an exchange rate of water, with an inlet and outlet, although it is a very low exchange rate. Because of the low exchange rate, a big build-up of nutrients happens. Domrose stated that Echo Lake has no exchange rate whatsoever. He can see that additional development in a short period of time will create some serious problems.

Melodee Curtis stated that they live on Blue Lake. Her husband works for a company that installs septic systems. They purchased five acres in this area for the seclusion. She worries about the quality of the water. They use the lake a lot and there have been a lot of accidents on the lake. More boats and more people mean more danger. She is against the proposed subdivision.

Betty Root stated that she owns a lot along Echo Lake and she is opposed to the proposed Lake Hollows Subdivision.

Dee Arndt stated that her in-laws own a cabin on Blackies Bay. The entry into Blackies Bay is very narrow and shallow all year long. In the summertime one the weekend, there are several boats in the bay pulling skiers as well as personal water devices. Arndt noted that a woman was killed in Blackies Bay by her husband's water machine. She is opposed to this development, as they don't need any more traffic on the lake and they don't need any more water quality problems.

Bill Dutch stated that he has owned property on the east side of Abbott Lake for about 15 years. The water used to be clear and now it is cloudy. He is concerned that additional development will make it worse. He stressed his concern with the channel between Echo lake and Abbott Lake and the height of the bridge.

Linda Mitchell stated that it was her sister that was killed in Blackies Bay last year. Nobody can guarantee that people will purchase a house in this area will not use the lake. The lake is public and anybody can use it and too many people on the lake cause problems.

Andrew Veseth stated that he and his wife reside in Echo Chalet Village and support the position of the Echo Lake Association in opposition to the subdivision. They purchased their home nearly nine years ago. During this time they have observed water levels ranging from adequate to dangerously inadequate. They ask what assurance they have that this planned unit development will not exacerbate this existing threat and irreparably damage the highly vulnerable water quality of Echo Lake. They are concerned about the property values if the lake were to become sick.

Charles French stated that he lives on Echo Lake Road and has since 1966. They want to keep the lake the way it is. I agree that this is one of the best projects he has seen. But Echo Lake is not the place for it. He stressed that it is a pothole lake. He is one of the original members of the Echo Lake Association and the county supervised two die tests on the lake 15 years ago. He can't understand the actions of some people to act as God for profit at the expense of so many others.

Hearing no more comments, Stratton closed the public hearing.

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Watne stated that he is concerned about the boat traffic and the fact that Blackies Bay and Echo Chalet Village are not secure emergency accesses. He is not sure the lake can support this density and still maintain the water quality. He feels that the 1992 zoning designation of AG-40 should remain.

Stratton stated that based on the information received from the Montana Department of Fish, Wildlife & Parks, and also taking into consideration the comments made today, she feels this development would have a tremendous impact on the fisheries. Stratton presented the Commissioners' amended Findings of Fact. (See file)

Stratton pointed out that the Planning Board findings are positive findings and the amended findings by the Commissioners are negative findings.

Commissioner Watne made a motion to adopt the Findings of Fact for Lake Hollows zone change request and PUD, as amended by the Commissioners. Commissioner Stratton seconded the motion. Aye - Stratton and Watne. Motion carried by quorum.

Commissioner Watne made a motion to deny the Lake Hollows zone change request and PUD, based on the negative findings and the testimony received. Commissioner Stratton seconded the motion. Aye - Stratton and Watne. Motion carried by quorum.

Commissioner Watne made a motion to adopt the Findings of Fact for the Lake Hollows Preliminary Plat, as amended by the Commissioners. Commissioner Stratton seconded the motion. Aye - Stratton and Watne. Motion carried by quorum.

Commissioner Watne made a motion to deny the preliminary plat for Lake Hollows, based on the failure of the zone change and PUD. Commissioner Stratton seconded the motion. Aye - Stratton and Watne. Motion carried by quorum.

2:30 P.M. - CAB Meeting @ Columbia Falls City Hall

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 19, 1995.

April 19, 1995

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Commissioners Stratton and Watne, and Clerk Haverfield were present.

CHAIRMAN GIPE ATTENDING MENTAL HEALTH COUNCIL MEETING IN HELENA

- 8:00 A.M. - Commissioner Stratton - Welcoming Address @ Rocky Mountain Association of Fair Spring Manager's Meeting @ Grouse Mountain Lodge
- 9:15 A.M. - RSVP Meeting @ RSVP Office
- 9:30 A.M. - Budget Meeting @ Justice Center Community Room
- 12:00 P.M. - DUI Task Force Meeting @ Outlaw Inn
- 12:00 P.M. - Assistant Bennett - United Way Meeting @ Outlaw Inn
- 3:00 P.M. - Assistant Bennett - Meeting RE: District Court Budget @ District Court #1

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 19, 1995.

April 20, 1995

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Gipe, Commissioners Stratton and Watne, and Clerk Haverfield were present.

Monthly Meeting w/Richard Stockdale, Animal Shelter - Discussion of New Animal Shelter with Architects Design Group

Present for the 8:15 A.M. Meeting were Chairman Gipe, Commissioners Stratton and Watne, Assistant Bennett, Animal Control Director Richard Stockdale, John Peterson, Jim Tipps, and Clerk Schreiner.

Stockdale presented the statistics for the month of March for dogs, cats, complaints, and budget.

Peterson displayed the floor plans for the new Animal Shelter, outlining in detail the features of the proposed facility. Discussion was held in this regard. Discussion was also held regarding ways to fund the construction of this project.

Monthly Meeting w/Bob Norwood, Parks & Rec

Present for the 9:00 A.M. Meeting were Chairman Gipe, Commissioners Stratton and Watne, Assistant Bennett, Parks Director Bob Norwood, and Clerk Schreiner.

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## Erik Mack

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**From:** Mary Fisher  
**Sent:** Wednesday, January 27, 2021 2:13 PM  
**To:** Erik Mack  
**Subject:** FW: BLUAC Agenda Thursday, January 28, 2021, Agenda Item FAC-20-19

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**From:** Shelley Gonzales <chuygonz@centurytel.net>  
**Sent:** Wednesday, January 27, 2021 1:46 PM  
**To:** Mary Fisher <mFisher@flathead.mt.gov>; Brent Pomeroy <bkgonefishin@gmail.com>; Chany Ockert <chany.reon@gmail.com>; Jerry Sorensen <jswanview7@gmail.com>; Lou McGuire <mcguire\_lou@msn.com>; Richard Michaud <robemicha2@aol.com>; Shelley Gonzales <chuygonz@centurytel.net>; Susan Johnson <snjmontana1@hotmail.com>  
**Cc:** 'Lyn Mogolis' <lynm88411@gmail.com>  
**Subject:** FW: BLUAC Agenda Thursday, January 28, 2021, Agenda Item FAC-20-19

Good Afternoon,  
Below is an email on FZC 20-19  
Shelley

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**From:** Lyn Mogolis <lynm88411@gmail.com>  
**Sent:** Wednesday, January 27, 2021 12:37 PM  
**To:** Shelly Gonzales <chuygonz@centurytel.net>  
**Subject:** BLUAC Agenda Thursday, January 28, 2021, Agenda Item FAC-20-19

My name is Linda Mogolis. As a long-time resident of the Echo Lake area and having a partial interest in a waterfront lot, I am definitely **NOT** in favor of this agenda item.  
This lake is ENDANGERED. Echo Lake is unable to accommodate and sustain more development. The negative impacts are numerous:

- \* increase in watercraft and vehicular traffic causing safety and infrastructure concerns
- \* detrimental to wildlife and fish habitats
- \* increase in water pollution causing decrease in water quality
- \* increase in air pollution

Thank you for your consideration of these issues.

Linda (Lyn) Mogolis  
295 Alpine Drive  
Bigfork MT 59911



Virus-free. [www.avg.com](http://www.avg.com)

## Erik Mack

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**From:** Mary Fisher  
**Sent:** Thursday, January 28, 2021 11:39 AM  
**To:** Erik Mack  
**Subject:** FW: Contact Message

**From:** website@flathead.mt.gov <website@flathead.mt.gov>  
**Sent:** Thursday, January 28, 2021 11:21 AM  
**To:** PZ Contact US <pzcontactus@flathead.mt.gov>  
**Subject:** Contact Message

### Contact Inquiry

The information below is being sent from your website.

<b>Name:</b>	Jerry Doty
<b>Email:</b>	<a href="mailto:dotyje4545@gmail.com">dotyje4545@gmail.com</a>
<b>Subject:</b>	BLUAC
<b>Message:</b>	<p>I'm apposed to the FAC-20-19 change that is purposed for Echo lake. This lake is over crowded with the exsisting homes and public access that we have. The amount and size of boats that are on the lake have already destroyed my shore line and with the added amount of homes being amended to be on the lake will cause further damage to our shore lines. The sag 40 was put in to limit the amount of homes on that section of land and the family new that when the purchased the property. Now with the high values in the valley it seems the want change it to make money off the land. I feel we need to keep this in place to limit activity on the lake.</p>



**Flathead County Planning Board, Erik Mack (planner III), RE: Echo Lake Subdivision FCZ-20-19**

I'm Opposed to changing the AG-40 designation outlined in the Growth Management Plan to SAG-5 because of the rezoning's impact on the Echo Lake, Petersen Lake, and Abbot Lake water quality, threatening the recreational enjoyment of the community at large and the property values of the existing residence. Echo Lake water quality is degrading due to the higher residential density on the lake will add more boat activity and further degradation due to lake shore erosion, more nutrient inputs from lawn fertilizers, and shoreline development. I've included a biological measurement index to help the planning board understand how lakes are classified and where Echo Lake currently is.

The **Trophic State Index (TSI)** is a classification system designed to rate water bodies based on the amount of **biological productivity** they sustain. Although the term "trophic index" is commonly applied to lakes, any surface water body may be indexed.

The TSI of a water body is rated on a scale from zero to one hundred. Under the TSI scale, water bodies may be defined as:

- **oligotrophic** (TSI 0–40, having the least amount of biological productivity, "good" water quality);
- **mesoeutrophic** (TSI 40–60, having a moderate level of biological productivity, "fair" water quality); or
- **eutrophic to hypereutrophic** (TSI 60–100, having the highest amount of biological productivity, "poor" water quality).

The quantities of **nitrogen**, **phosphorus**, and other biologically useful nutrients are the primary determinants of a water body's TSI. Nutrients such as nitrogen and phosphorus tend to be **limiting resources** in standing water bodies, so increased concentrations tend to result in increased plant growth, followed by corollary increases in **subsequent trophic levels**. Consequently, trophic index are used to make an estimate of the biological condition of water bodies.

Based on data collected over the years by Flathead Lake Biological Station, (FLBS) Whitefish

Lake Institute (WLI) and Montana Fish, Wildlife & Parks (MFWP) Kalispell, Mt. Region 1 Echo Lake is mesoeutrophic to eutrophic.

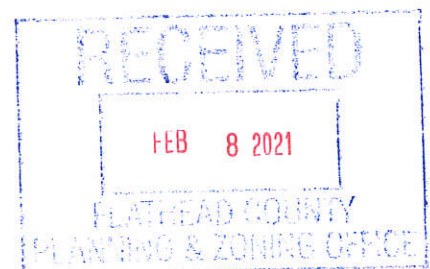
Future development and more nutrient inputs to the lake water can tip the lake to an irreversible hypereutrophic classification.

I would like end with a quote from the recent study FLBS & WLI titled, Economic Values of Lakes and was printed in part in the Flathead Beacon, February 3, 2021/ Volume 15 NO 5.

"Land use, planning, and development decisions are locally driven. Whether these policies improve or decrease locals' welfare is contingent on whether the benefits of additional development outweigh the costs. As the study has quantified one potential cost is degraded water quality. Consequently, the value of maintaining water quality should be considered and integrated into local land use planning."

I am opposed to a zoning change and urge the planning board to do so also, once the lake water quality goes to hypereutrophic there is no going back.

John L. Wachsmuth, 1098 Echo Lake Rd., Bigfork, Mt 59911



## Erik Mack

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**From:** Mary Fisher  
**Sent:** Monday, February 8, 2021 7:43 AM  
**To:** Erik Mack  
**Subject:** FW: Attention Planning Board about FZC-20-19

**From:** Mark Suppelsa <msuppelsa@gmail.com>  
**Sent:** Saturday, February 6, 2021 7:47 PM  
**To:** Planning.Zoning <Planning.Zoning@flathead.mt.gov>  
**Subject:** Attention Planning Board about FZC-20-19

To the board members:

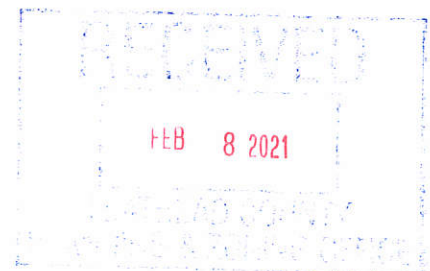
I'm writing to oppose a zoning change on Echo Lake by the Day Family Trust.

My name is Mark Suppelsa and I've owned a home on Echo Lake since 1994. Two summers ago, I started a volunteer group with Echo Lake homeowners that checks incoming watercraft for invasive species. We take turns working shifts on our increasingly popular, public access dock aiding Montana Fish, Wildlife & Parks to visually inspect visiting boats. Most days, the line of vehicles with boat trailers (illegally) lines the road leading to the dock parking lot which is always overflowing. As you may know, the potential threat of devastating invasive species is growing every year. There's no new technology to stop it other than eyeballing boats and engines. FWP reps have told me, they frankly don't have the manpower to do what we volunteers do every Friday, Saturday and Sunday in the summer.

If the board allows a zoning change that would potentially add 12 new homesites that will inevitably have docks, which will inevitably add more boats (either by the homeowners or the renters who use these new homes), it will continue to greatly increase the chances Echo Lake will fall victim to any of these contaminating species that have destroyed lakes in the East, Midwest, Canada and some out West. Bad land use policy will not help us when we're already overwhelmed by house and boat density that makes this lake one of the most popular in the area and also one of the most overused.

Thank you for the consideration.

Mark Suppelsa  
509 E. Village Drive  
Bigfork, Montana 59911  
847-337-6223





**To: Flathead County Planning Board**

**c/o Flathead County Planning and Zoning Dept.  
40 11th Street West, Suite 220  
Kalispell, MT 59901**

**February 2, 2021**

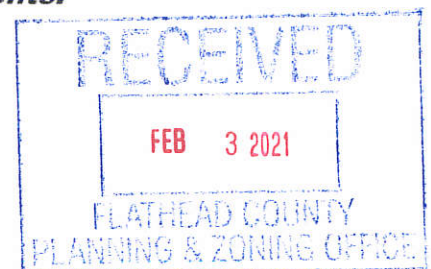
**From: Bill Dakin  
477 E Village Drive  
Bigfork, Mt. 59911**

**Re: Day Family Trust application for Map Amendment to the Echo Lake  
Zoning District (#FCZ-20-19)**

**Dear Board Members:**

**I and many others attended the January 27<sup>th</sup> meeting of the Bigfork Land Use Advisory Committee to offer comment on this proposal. They voted to adopt altered 'findings of fact' and recommended that you advise denial of this application. I fully concur with that decision. Below are my comments with respect to the deficient and superficial staff report and findings of fact that were before that committee.**

**I had 10 years' experience sitting on your side of the table on these matters. I know, and I'm sure you know, that unwise decisions result in difficult precedents which can come back to haunt us. This request is for a drastic zoning map amendment, to change in one action from a 40-acre lot minimum to a 5-acre lot minimum. The applicant's property is adjacent to over 1000 acres of land similarly zoned AG-40. We know that the motive for such an amendment is usually to subdivide. We know that other owners similarly zoned will observe the outcome of this application and predictably, there will be a stream of similar requests in coming years, each pointing out to your successors the precedent that was set by this decision, and expecting the same result. Inviting a stream of map amendment requests to proliferate 5-acre zoning over such a vast area should give pause. Planning is about what's to come, and setting rational, measured steps for inevitable change. And, done well, its also about *not setting regrettable precedents*.**



I concur that the AG40 designation begs adjustment, that the subject area is not 'agricultural'. To step up to AG20 or even to SAG10, viewing the overall area, makes sense as the county grows. My comment is that setting a precedent for SAG5, and in doing so, inviting or 'green lighting' a proliferation of piecemeal copycat map-amendment applications, would be a grievous and irrevocable mistake.

The staff report, draft findings of fact, and recommended favorable forward action that the BLUAC was given merits critical response to the FCPZ people responsible. Serious questions were not raised; several zoning goals and policies were glossed-over with formulaic, almost banal cut/paste text, and superficially found to be compliant. In particular:

**G.6** *"...absent of environmental constraints with the exception of dust generation".* The subject property and hundreds of acres zoned AG-40 abut three connected (Echo, Abbott, Peterson [EAP]) lakes with popular public access, no surface outlet, and challenged water quality. The 5-acre density, considering developers' "cluster" tools, portends severe detriment to these lakes. The water quality at stake is not just important to the lakefront landowners such as myself, but to the legions of fishers and young families who utilize the day-use state park every summer day to access the pleasantly warm water of Echo for swimming, kayaking, and paddleboarding.

**P.8.2** *"The proposed zoning would allow for lot sizes that maintain the character of the area."* In point of fact, the AG-40 area contains very few tracts as small as 5 acres. The bulk of Echo's shoreline was regrettably developed before people understood the consequences, and the necessity for limits.

**Section 2 (a)(b) and (c); Finding #3,#5, – suitable access and safety for fire and emergency services.**

Echo Bay Trail is a dead-end road with no emergency escape route. That alone argues against a density as high as 5 acres. Coupled with the topography it encounters North and East of Peterson Lake, with many grades exceeding 15% -- and its 16ft width tapering to just 12ft, it's derelict that your staff report finds no issues here for the suitability of the requested 5-acre lot size, or for fire safety/emergency ingress. I realize that constructing roads to specifications comes later, when subdivision plats are reviewed. And, that that there is 60ft R-O-W. But given the proliferation of exempt "family transfers" and creativity in boundary line adjustments... is it really sound

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planning to invite future development that will likely push traffic counts and safety issues on Echo Bay Trail to a far worse state long before some subdivision triggers massive and expensive road widening and leveling? It is not.

Your staff report (section 2 (c) p11) states ".....Echo Bay Trail, most of those properties do not contain houses so the total average daily trips would be minimal." Then it proceeds to state that if the application is granted, subdivision occurs, and ten new homes are built, 95 imputed additional vehicle trips per day are not consequential. That amazes me. They are consequential to people who now live there, I would think. And, of course, this assumes no other large-tract owners rush to get copycat map amendments. Those would add hundreds more daily trips. And, it benignly assumes that homes may not be built on the existing undeveloped tracts. In fact, there are two homes under construction on Echo Bay Trail right now. As infill happens, the inward road is scarcely adequate for homes on the existent tracts, let alone dozens more.

Your staff's Findings #6 and #9, given the things above NOT adequately considered or weighed, are superficial and myopic about the present state of Echo Bay Trail, its inadequacy to service a proliferation of 5-acre lots, and the consequences/cumulative impacts of setting this density precedent, at many peoples' future discontent and expense.

The applicant's location is within the Creston VFD jurisdiction whereas *almost all of the SAG5 portion of the Echo Lake District is within Bigfork VFD's service area.* Bigfork has begun to add a new tax-funded satellite fire station just south of the Hwy35/83 junction. The response time from Creston to the applicant's property, on a good day, would be 20-25 minutes, most of which would be navigating in from Hwy 35. The response time from Bigfork's new station will be 10 minutes less. For a structural fire, that is a critical difference. The FCPZ should encourage these two fire districts to negotiate a transfer of service area before anything like the density that's requested is given approval. The lack of an escape route from the forested environment beyond Peterson Lake is not mentioned. Presumably, it would be addressed in subdivision reviews. If wildfire happened, would they just swim for safety, or confront the emergency vehicles coming in on the 16ft road?

I am not expert on water quality, but I've owned on Echo Lake for 27 years and seen incremental deterioration, most of which is from human activity. Nutrient loading from high water erosion, oversized boats, lawn chemicals and ice melts, pet feces, and herbicides --- kills our lakes by a thousand cuts.

FEB 03 2021

**Aquatic weeds proliferate and fisheries decline. Rational planning doesn't slam the door, but it should set reasonable future density as a safeguard for everyone, including the public who uses the lake by means of the state fishing access. They deserve the consideration of every public body to make decisions as careful as possible to protect water quality.**

**Its not unusual for a property owner to be frustrated by the lack of a sale, and want to raise value by piecemeal divestment. What you decide on this application will set the precedent for map amendments to follow, and inevitably, for subdivision and future development. SAG5 is too drastic -- it invites disaster for water quality. Subdivision by subdivision, absent special rules, small lots could be 'clustered' on the shorelines offset by 'open space' behind them. I encourage you to advise denial of this application, and I hope the applicant will learn more about the consequences of their proposal so they can consider coming back to you with a less onerous amendment request that portends much less detriment to the land, the neighborhood, and the lakes that attract us in the first place.**

**Sincerely,**

A handwritten signature in cursive script, appearing to read "William F. Decker".

**Cc: Bigfork Land Use Advisory Committee c/o FCPZ**

**FEB 03 2021**



## Erik Mack

**From:** Mary Fisher  
**Sent:** Monday, February 8, 2021 10:51 AM  
**To:** Erik Mack  
**Subject:** FW: Contact Message

**From:** website@flathead.mt.gov <website@flathead.mt.gov>  
**Sent:** Monday, February 8, 2021 10:50 AM  
**To:** PZ Contact US <pzcontactus@flathead.mt.gov>  
**Subject:** Contact Message

### Contact Inquiry

The information below is being sent from your website.

<b>Name:</b>	Charlotte Streit
<b>Email:</b>	<a href="mailto:streitevans@gmail.com">streitevans@gmail.com</a>
<b>Subject:</b>	FZC-20-19 Zone change request
<b>Message:</b>	<p>Dear Flathead Planning Board Members, We are writing to oppose FZC-20-19, a zoning change request from Day Family Trust for property within the Echo Lake Zoning District on your agenda Wednesday February 10, 2021. We oppose the change for the following reasons: 1. Precedent. The Commission wisely designated this property as AG-40 in 1992. A proposal to change the zoning of this property to SAG-10 was rejected in 1995 by the County Commission for these lands. The reasons for both these decisions include but are not limited to preservation of water quality, access and safety for fire and emergency response, preservation of wildlife habitat and self-sustaining bass fishery and maintenance of water levels. In the years since these decisions were made, the consequences of further development on the lake have not diminished but rather intensified and therefore the precedent for keeping the AG-40 zoning is supported. We believe it is pertinent to note that the current owner of the property bought it knowing that two prior requests for zone change had been denied. 2. Water Quality. Echo Lake is a pothole lake. It has one small inlet, Noisy Creek, and no outlet. It is predominantly a ground fed lake and, as such, is more vulnerable to the effects of pollution from fertilizers, chemicals, gasoline, oil, sewage etc that increase due to high density development. 3. Safety. There is only one way into and out of this property and the access roads are private, narrow and, in some places, quite steep. Emergency vehicles have recently had trouble accessing the Day property in responding to a false alarm that went off in their boathouse. Winter road conditions as well as summer wildfire concerns would exacerbate this safety issue for all residents near this property. 4. Erosion. The shoreline erosion of Echo Lake due to increased boat activity and proliferation of wake board use has dramatically increased in the 32 years we have owned our property. To cite just a few personal examples, we currently have a cement patio that is collapsing into the lake due to shoreline erosion and neighbors have experienced a collapsed deck. The erosion not only impacts property but also threatens wildlife habitat and spawning grounds for fish. Residents have attempted to regulate boat use and enforce no-wake rules to no avail. 5. This small bay where this property is located is a haven for osprey, bald and golden eagles, blue heron, a variety of waterfowl and, importantly, painted turtles, an endangered species. In their letter objecting to this zone change, The Montana Fish and Wildlife Agency, noted the threat to wildlife including grizzly bears,</p>





brown bears and cougars. In conclusion, I urge you to oppose this zoning change for the reasons cited above as well as other compelling arguments submitted by the residents of Echo Lake. Let the decisions we make today reflect responsible stewardship of our precious resources. Thank you for your consideration and your service to the Flathead Valley. Sincerely, Charlotte Streit and Cly Evans Echo Lake Residents 1409 Firemans Island Rd Bigfork, MT 59911

FEB 09 2021

Wayne Grilley  
1399 Firemans Island Rd.  
Bigfork, MT 59912  
(406)250-1007



February 8, 2021

Dear Flathead County Planning Board,

This not the first-time request for re-zoning within the boundaries formed by the west end of Echo Lake, Abbot Lake and Petersen Lake from AG-40 to SAG -10 or SAG 5 has been proposed. In April of 1995, owner H, owner of the property south of the current proposal, proposed Lake Hollows Development. In 2005, owner B requested SAG-5 on the property of the current zoning proposal. Each time the County rejected the zoning changes for the same reason that confronts us today, precedent set by the re-zoning, safe and access, loss of habitat, and water quality.

On February 19, 1992, the County Commissioners wisely chose to secure the properties with a minimum 40-acre, single residence, agriculture zoning. The county planning board anticipated the potential problems and recommended the AG-40 zoning. The planners and the commissioners understood that there was not anything they could do about the previous unchecked development around the lake, but that did not mean that it was okay to allow it to continue. Adkins stated, "I really think we have to save the lake. I think that is the main purpose here. I'm sorry if that one landowner is being affected. But if we don't, we aren't going to have a lake. Commissioner Gipe added "We support the planning board ... (the Commissioners) are trying to accommodate the majority and zone it so that there are children in the future generations who will have the same water quality and air quality in this valley that we have today".

Today, the current proposal will create a precedent allowing adjacent properties to follow. As stated above, the property to the south, owned by H requested SAG-10 zoning in 1995. That property included the property currently under consideration before it was split off and sold to the current applicant, owner D. The 1995 SAG-10 proposal included 29 residence and miscellaneous community buildings. When owner H applies a second time based on the SAG-5 zoning precedent the county determines now, 29 residence could be 50+ residence. The properties to the west will follow.

As with the previous zoning request, the current request has the same lack of emergency exit. The current unimproved roads show what we can expect the road system will be with additional development. The property is locked in by the three lakes, a myriad of small

"pothole" and wetlands, and neighborhoods with private roads who are not willing to grant easements.

In 1995, as today, local residence and Fish, Wildlife, and Parks opposed the re-zoning because of loss of habitat. Then, Steve McGuire, State Director of the Montana Bass Federated Incorporated, stated, "Echo, Petersen, and Abbot Lakes make up a fishery that is one of Montana's most viable self-sustaining bass fisheries..." He further stated, "On water quality, the water quality of the mid and lower levels of Echo have been declining for years.

Just like in 1995, today we face the issue of lake water quality. However, a new phenomenon has exploded since 1995, the enormous increase of boating activity. The intense recreation boating seen today increases phosphorus, nitrogen, and chlorophyll levels, while decreasing dissolved oxygen levels. Additionally, increased residential density will only increase stress on the three lakes; lawn fertilizers, petroleum contaminates, etc. Keep in mind that no lake front property slopes away from the lake. Some contamination is inevitable.

In 1995 and again in 2005, the Planning Board and the Commissioners were faced with the same request for zoning changes, faced with the same impact and issues we face today, they chose to try and preserve the three-lake area for the habitat and the recreational enjoyment of the public at large. Today, you are faced with the same request and issues, but the issues and problems have become more acute. You must oppose the SAG-5 re-zoning for the same reasons as your predecessors, for the public at large.

Thank you,  
Wayne Grilley

FEB 09 2006

IN REGARDS TO: FZC-20-19 Day Family Trust



My name is Linda Thompson Smith and I own property at 1405 Fireman's Island Road. I have shoreline on both Blackie's Bay and Willow Bay on Echo Lake. My family and I have had our property since 1958.

**Fire safety** is a major concern that I would like to bring to your attention. Especially since I worked for the US Forest Service in Bigfork for a number of years and my father was also a retired Kalispell Fireman. This is my legacy to him for me carry out since he is no longer with us.

*First of all I believe, this proposed zoning change should be denied.*

Your staff's report gives a brief description of the existing road and access for emergency vehicles, including firefighting. The report omits - many- facts:

- Echo Bay Trail is a dead-end road of more than 2 miles to the applicant's property, with some dead-end branch roads. There is no emergency escape route. That alone argues against a density of 5 acres.
- There's very little turnaround space for a fire truck because the road shrinks from 16 feet wide to just 12 feet before 465 Echo Bay Trail as I inspected the road with on 2/7/21.
- Staff report Finding #5: c. states "Echo Bay Trail is a 15 foot wide paved private road" with a 60 foot easement.
- The road dips and climbs grades that exceed 15% beyond the end of Peterson Lake which makes all of this more hazardous.

I realize road standards apply later during subdivision review.

- But exempt "family transfers" and creativity in boundary line adjustments don't get reviewed. –  
They just happen!  
And they certainly will happen if lot size is reduced.



If you do rezone, this will invite more dense development, as evidenced by your traffic counts in your report and safety issues on Echo Bay Trail. Finding #5: c.

This will encourage plans for a major subdivision which will trigger massive and expensive road widening and leveling.

In light of these facts:

- Your staff's "Fact Findings" #6 and #9 are superficial and should be rethought.
- Secondly, the applicant's property is within the Creston VFD's jurisdiction, whereas ALMOST ALL OF THE SAG-5 PORTION OF THE ECHO LAKE DISTRICT IS WITHIN BIGFORK'S VFD'S SERVICE AREA.
- The response time for Creston to the applicant's property, (7.7 miles) on a good day, would be 20-25 minutes.
- Most of that would be navigating roads from Hwy 35. With the Bigfork Fire Department (4.9 miles away) as back up, it'd be 10 minutes quicker.
- For a structural fire, that's a critical difference.

And again:

- There's no alternative escape route for a fire event.
- This lack of escape from the forested area north and east of Peterson Lake isn't mentioned.
- Inviting development to 5 acre density along roads like with emergency fire service in mind, does not seem like sound planning to me.

Again, this should be denied. Thank you for listening to my concern.

Linda M. Thompson Smith

(406)261-4001, e-mail: [linda@montanasky.net](mailto:linda@montanasky.net)

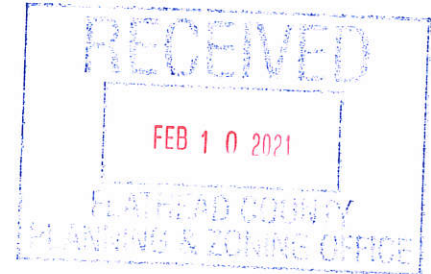
FEB 09 2011

## Erik Mack

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**From:** Mary Fisher  
**Sent:** Wednesday, February 10, 2021 7:33 AM  
**To:** Erik Mack  
**Subject:** FW: Echo Lake development

**From:** Mark Suppelsa <msuppelsa@gmail.com>  
**Sent:** Tuesday, February 9, 2021 7:13 PM  
**To:** Planning.Zoning <Planning.Zoning@flathead.mt.gov>  
**Subject:** Echo Lake development



----- Forwarded message -----

**From:** rosemary kovatch <[ark2@operamail.com](mailto:ark2@operamail.com)>

TO WHOM IT MAY CONCERN:

Since ECHO LAKE is not the typical "Dishpan shape" with it's many small bays and irregular shore lines, there must be extraordinary thought into any further shore-line development. Of definite concern is "boat density" on the water itself. Right now the boat activity on Echo Lake is extremely overdone. The past few years has seen the recreational activity expand from just water skiing, & pontoon boats, to kayaks, paddle boards and personal swimmers to almost every other type of activity, basically because our lake has such a smooth, enjoyable surface. Just look at the State Marina with it's influx of vehicles loading and unloading all varieties of equipment. We even have pontoon equipped air-craft doing "touch & goes" on the longer stretches of open water. Last summer I watched a red helicopter pick up and land 16 times on property in two hours of time. If further development is allowed Echo Lake will definitely lose its beauty and appeal. I have also watched the lake, over the last 50 years, expand vertically, almost 20 feet at high, excessive water, to 8-10 years of low, drought water. Please use good judgement in your decision regarding this very important matter. Sincerely, M. Andrew Kovatch Echo Chalet Village property owner for 50 years.

rosemary kovatch [ark2@operamail.com](mailto:ark2@operamail.com)

On Mon, Feb 8, 2021, at 11:14 AM, Mark Suppelsa wrote:

Hello Andrew and Rosemary,

Thanks for the email and I hope Arizona is pleasant for you! We're finally getting a serious winter spell here with temps hovering above and below zero. Obviously, we need a cold snap like this to help the trees, rid the bugs etc.

So, this "developer" is the owner of the big greenish/brown house with the Asian-like design to the south of Fireman's Island. It's Rowland Day, a California attorney and apparent developer who bought about 62 acres from Hollinger about a year or so after Hollinger's failed bid in 1995 to develop some or all of that land. Day wants it rezoned from AG40 to SAG5 (residential 5).

The Bigfork advisory board rejected the recommendation by 4-3 vote last week. Many of us concerned Echo Lake residents showed up and spoke against recommending it. But as you know, as this moves to the Flathead County Planning Commission, anything can happen. So more of us (hopefully) will be there in force to speak our minds again against the recommendation. It's this Wednesday night.

Day's only representatives at the Bigfork advisory meeting were two "engineers" of his apparent development team. The change in zoning would allow (if our math is right) 12 new homesites, but the "engineers" when asked made mention of possibly "8 or 9".

Anyway, wish you were here to show strength in more numbers, but we're on it!

Mark

On Sun, Feb 7, 2021 at 9:36 PM rosemary kovatch <[ark2@operamail.com](mailto:ark2@operamail.com)> wrote:

Mark: Thanks for the e-mail regarding the proposed development west of the lake. Please describe the location and developer more fully. I was very much involved when Scott Hollinger had his hearings years ago on a major zoning change on property west and north of his present home. Yes, we must always be diligent when it comes to any more impact on our Echo Lake. Things change so rapidly here in Southern Arizona, but they occur under strict observation and excellent planning. Thanks again, Mark. Andrew Kovatch

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rosemary kovatch  
[ark2@operamail.com](mailto:ark2@operamail.com)

FEB 10 2021



**Erik Mack**

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**From:** Mary Fisher  
**Sent:** Wednesday, February 10, 2021 7:34 AM  
**To:** Erik Mack  
**Subject:** FW: Day property subdivision

**From:** Aaron Agosto <aaron.agosto@gmail.com>  
**Sent:** Tuesday, February 9, 2021 7:30 PM  
**To:** Planning.Zoning <Planning.Zoning@flathead.mt.gov>  
**Subject:** Day property subdivision

I am writing to voice my concern regarding rezoning the day property on Echo Bay trail from agricultural, to suburban. Echo bay trail is a small, privately maintained road, that is very narrow, with little room for oncoming traffic. A large subdivision would increase traffic, and tax the road far more than what it could currently handle.

--

Aaron Agosto  
Aaron Agosto Custom Carpentry  
412.482.4277



## Erik Mack

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**From:** Mary Fisher  
**Sent:** Wednesday, February 10, 2021 7:34 AM  
**To:** Erik Mack  
**Subject:** FW: Day Property Zoning Change

**From:** Annica S <annica.stivers@gmail.com>  
**Sent:** Tuesday, February 9, 2021 7:30 PM  
**To:** Planning.Zoning <Planning.Zoning@flathead.mt.gov>  
**Subject:** Day Property Zoning Change

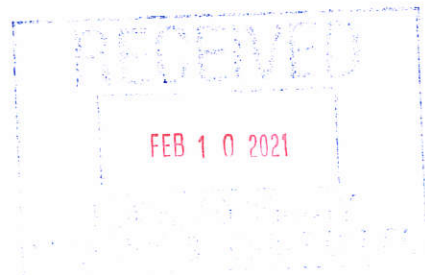
Hi,

I live on Belterra Ln and the zoning change for a property just past my street is up for discussion at a meeting tomorrow. I was hoping to voice my opinion that I am against changing the zoning from agricultural to suburban agricultural. If you take a drive back here you'd probably agree. Echo Bay Trail starts with a narrow cattle grate and you'd be hard pressed to have two cars passing each other on the road in the winter. I know a pair of my neighbors, born and raised in Flathead Valley and used to its winter driving conditions, have gotten themselves stuck letting someone pass to go to the gun range near the Day property. The road widens for a small section then narrows again at the T to Belterra and my husband and I have bailed out multiple renters from downed trees and being stuck near our road. Echo Bay Trail is private, owned by the Bible Camp, and every year at the Belterra HOA annual meeting someone brings up how bad the tree ruts in the road are and we haven't been able to make any progress on improving the road, even though we are on good terms with the Camp.

I'd also like to object to the zoning change because it could lower my property value. We're already getting it from 2 sides with the gun range and the encroaching gravel pit, that adding the potential for more traffic, less privacy, less wildlife, etc. affects my single greatest investment in my lifetime. We bought our land on Belterra Ln because it's a quiet, dead-end road, with no further subdivision allowed.

I understand that the valley is changing, but the suburban sprawl should occur where the land, the neighbors and the neighborhood support it.

Thank you for your time.  
Annica Stivers  
221 Belterra Ln



## Erik Mack

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**From:** Mary Fisher  
**Sent:** Tuesday, February 9, 2021 2:24 PM  
**To:** Erik Mack  
**Subject:** FW: Rezoning Application

**From:** Dave & Jo Malmberg <dgmalm3@gmail.com>  
**Sent:** Tuesday, February 9, 2021 2:06 PM  
**To:** Planning.Zoning <Planning.Zoning@flathead.mt.gov>  
**Subject:** Rezoning Application

I would like to send a letter in opposition to application FZC-20-19 regarding the Day Family Trust attempting to change the current zoning on their property located on Echo Lake. My family and I have owned property directly across the bay from the land in question for approximately 30 years. And whereas Roland and Jamie Day are good people, and have been good neighbors for as long as they have been on that site, we know they will not always be the owners.

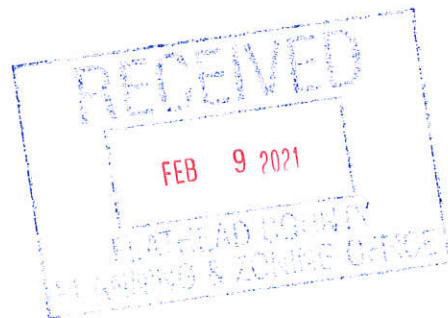
My concern is that once it gets re-zoned to a minimum five acre requirement, it is possible for another 8-10 lots to be created with lake access. I believe that would have the potential for extremely excessive shoreline erosion in this bay, in addition to what is already occurring.

I know this is not an application for subdivision and development, only rezoning, but once it becomes zoned for five acre lots, it seems like it will be very difficult to not allow a future developer to do just that. I would be more in favor of changing it to a minimum 20 acre size, which would allow them to use 20 acres for the existing home and structures, and an additional 2 lots of the same size. That would be much more manageable from the lake standpoint.

Thank you for the opportunity to voice my concerns. As my permanent residence is in Canada, and the border crossing is almost impossible at this point, I will not be able to attend the hearing in person

David Malmberg  
1419 Firemans Island Road  
Bigfork, MT. 59911

or  
8 Sunrise Road  
Lethbridge County, AB  
Canada T1J 5S1





## Erik Mack

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**From:** Angela Phillips  
**Sent:** Tuesday, February 9, 2021 12:08 PM  
**To:** Erik Mack  
**Subject:** FW: Echo Lake Subdivision FCZ-20-19

**From:** Barb Sherrard <bsws770@gmail.com>  
**Sent:** Tuesday, February 9, 2021 12:07 PM  
**To:** Planning.Zoning <Planning.Zoning@flathead.mt.gov>  
**Subject:** Echo Lake Subdivision FCZ-20-19

FlatheadCounty Planning Board

I am opposed to the proposed change.

As stated on the Flathead County website

Purpose of Zoning:

The purpose of zoning is to promote the public health, public safety and general welfare of the community; To conserve natural resources; To facilitate the provisions for public works requirements such as water, sewer, and environmental needs; The protection of the aesthetics resources of the County.

With these things in mind I believe it is in the best interest of the community to deny the zone change request from the Day Family Trust. The water quality of three lakes, Echo, Petersen, and Abbott are all at risk and more development will mean more degradation.

I also believe we should learn from our mistakes, not repeat them. The smaller lots that exist now on the lakes do not justify further subdivision. We now know what it does to the water quality of these previously pristine lakes. Don't further the negative impact on these lakes.

Barbara Sherrard  
Flathead County Resident